

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38189 of 2019**

Arising Out of PS. Case No.-112 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Chhote Lal Yadav Son of Bihari Yadav Resident of Village-Soharsa (Parsathua) P.S.-Kochas District-Rohtas at Sasaram at present residing at Mohania, Ward No.12, P.S.-Mohania, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 26-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bhabua P.S. case No.112 of 2019 registered under Section 395 of the Indian Penal Code and 27, 25(1-B)A, 26, 35 of Arms Act, pending in the court of C.J.M., Kaimur at Bhabua.

Allegation is that five unknown miscreants on the point of pistol looted away the bag containing Rs.6 lacs of the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.03.2019. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not



named in the F.I.R. His name has transpired on self confession made in connection with another case. Except for this, there is no other substantive evidence to suggest his implication in the present case. The petitioner has falsely been implicated in this case. There is no recovery of any incriminating article from the possession of the petitioner. The petitioner has not been put on T.I.P. It is further submitted that the petitioner may be released on bail after completion of one year in custody from 12.09.2018.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. Six lacs rupees of the informant was looted by the accused persons. Rs.90,000/- is alleged to have been recovered from the possession of the petitioner. There is one more case pending against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected at this stage.

(Sudhir Singh, J)

Narendra/-

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